

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF FEBRUARY  
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE G. BIKSHAPATHY**

**and**

**THE HON'BLE MR JUSTICE P.S.NARAYANA**

**WRIT PETITION No: 20939 of 2004**

Between:

Government of Andhra Pradesh, rep. by its Secretary to  
Government, Panchayat Raj & Rural Development Department, Secretariat  
Buildings, Hyderabad.

**..... PETITIONER**

AND

Sri B. Veeranna, Executive Engineer,  
Panchayat Raj, Nandyal, Kurnool.

**.....RESPONDENT**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any writ or proceedings more particularly one in the nature of "Writ of Certiorari" calling for the records pertaining to the orders passed in O.A.No. 294/2004 on the file of Hon'ble A.P.A.T. Hyderabad, dated 9-1-2004 and quash the same as illegal and arbitrary.

**Counsel for the Petitioner: THE ADVOCATE GENERAL**

**Counsel for the Respondent: M/S.S.GOPAL RAO.**

The Court made the following:

**ORAL ORDER:-** (PER GB,J.)

The Writ Petition is filed by the Government assailing the order, dated 09.01.2004, passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.294 of 2004.

2. The respondent was working as an Executive Engineer in Panchayat Raj, Nandyal. While so, he was placed under suspension vide G.O.Rt.No.1829, Panchayat Raj and Rural Development (VS.I) Department, dated 14.11.2002. In this Writ Petition it is stated that on similar charges group of officers were also placed under suspension. Some of the officers filed O.A.Nos.1728 of 2003 and 1743 of 2003 and those O.As. were allowed on 01.05.2003. Since the respondent was also one such officers affected by the suspension order, he filed O.A.No.294 of 2004. The Tribunal, following the orders in the earlier O.As., allowed the O.A. filed by the respondent, against which the present Writ Petition has been filed by the Government.

3. Learned Advocate General appearing for the petitioner submits that the order passed by the Tribunal is illegal and unsustainable in law, inasmuch as, individual misconducts have been specified under each charge memo and therefore, the Tribunal, by allowing the O.As. filed by other officers, cannot be taken precedent in other cases which stand on different footing. He also submits that the respondent involved in grave misappropriation of public funds and therefore, keeping him under

suspension would be just and proper.

4. It is also brought to the notice of this Court that the respondent has already been reinstated into service with a condition that the reinstatement will be subject to the result in the Writ Petition.

5. Be that as it may, inasmuch as, the O.A. allowed on the ground mentioned in the other O.As. which are similarly situated and also the fact that the respondent was reinstated long back, it would not be appropriate to disturb the situation. Thus, we do not see any merit in the Writ Petition and the same is liable to be dismissed.

6. It is brought to the notice of this Court that the enquiry is yet to be commenced. We are unable to understand the reasons for not commencing and conducting the enquiry expeditiously. The very purpose will be frustrated if the enquiry is prolonged with undue delay.

7. Under those circumstances, the petitioner is directed to take steps to complete the enquiry as expeditiously as possible within a period of four months from the date of receipt of a copy of this order.

8. With the direction indicated above, the Writ Petition is accordingly dismissed. No costs.

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**G. BIKSHAPATHY, J.**

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**P.S. NARAYANA, J.**

Date: 07.02.2005

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To

1. The Secretary to Government, Government of Andhra Pradesh, Panchayat Raj & Rural Development Department, Secretariat Buildings, Hyderabad.
2. 2 CCs to the Advocate General, High Court of A.P., Hyderabad (OUT).
3. 2 CD copies